

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DAMIEN GATES,

Petitioner,

vs.

LARRY SMALL, WARDEN,

Respondent.

Case No. CV 08-6646-DOC (OP)

ORDER ADOPTING FINDINGS,  
CONCLUSIONS, AND  
RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE  
JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge, de novo. The Court concurs with and adopts the findings, conclusions, and recommendations of the Magistrate Judge.

///

///

///

1 IT IS ORDERED that Judgment be entered: (1) approving and adopting this  
2 Report and Recommendation; (2) granting Respondent's Motion to Dismiss; and (3)  
3 directing that Judgment be entered dismissing this action with prejudice as untimely.

4  
5 DATED: December 22, 2009

  
HONORABLE DAVID O. CARTER  
United States District Judge

6  
7  
8 Prepared by:

9  
10 

11 HONORABLE OSWALD PARADA  
12 United States Magistrate Judge  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28